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Attorneys for Defendants
Wells Fargo Advisors, LLC, Wells Fargo Advisors
Financial Network, LLC, Wells Fargo Securities, LLC,
and Wells Fargo & Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THEODORE KAGAN, JAMES AVEN,
FRANCES LEVY, ELAINE SOFFA, JOSEPH
SOFFA, and ALBERKRACK FAMILY
LIMITED PARTNERSHIP, on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

WACHOVIA SECURITIES, L.L.C., a North
Carolina limited liability company; WACHOVIA
SECURITIES FINANCIAL NETWORK, L.L.C.,
a North Carolina limited liability company;
WACHOVIA CAPITAL MARKETS, L.L.C., a
North Carolina limited liability company;
WELLS FARGO ADVISORS, L.L.C., a
Delaware limited liability company; WELLS
FARGO ADVISORS FINANCIAL NETWORK,
L.L.C., a Delaware limited liability company;
WELLS FARGO SECURITIES, L.L.C., a
Delaware limited liability company; WELLS
FARGO & COMPANY, a Delaware corporation;
and DOES 1 through 10, inclusive,

No. 09-5337 (SC)

**STIPULATION TO EXTEND
DEADLINE TO SUBMIT
SETTLEMENT AGREEMENT FOR
THE COURT'S APPROVAL**

Judge: Hon. Samuel Conti

1 Defendants.

2
3 BRENT BALKEMA, as Trustee for the Jesse J.
4 Balkema Rev Trust, on behalf of himself and all
others similarly situated,

5 Plaintiffs,

6 v.

7 WACHOVIA SECURITIES, LLC, a North
8 Carolina limited liability company, WACHOVIA
SECURITIES FINANCIAL NETWORK, LLC, a
9 North Carolina limited liability company,
WELLS FARGO ADVISORS LLC; a Delaware
10 limited liability company, WELLS FARGO
SECURITIES FINANCIAL NETWORK, LLC, a
11 Delaware limited liability company,

12 Defendants.

No. CV-11-00412 (SC)

13 Through this Stipulation, Plaintiffs Theodore Kagan, James Aven, Frances Levy, Elaine
14 Soffa, Joseph Soffa, Alberkrack Family Limited Partnership, and Brent Balkema (“Plaintiffs”)
15 and Defendants Wells Fargo Advisors, LLC (sued under its own name and also under the name
16 “Wachovia Securities, LLC”), Wells Fargo Advisors Financial Network, LLC (sued under its
17 own name and also under the name “Wachovia Securities Financial Network, LLC”), Wells
18 Fargo Securities (sued under its own name and also under the name “Wachovia Capital Markets,
19 LLC”) and Wells Fargo & Company (“Defendants”), collectively referred to herein as the
20 “Parties,” through their counsel of record, hereby stipulate to briefly extend the previously
21 agreed deadline for the parties to submit a proposed class action settlement stipulation and
22 motion for preliminary approval of settlement to Thursday, January 19, 2012.

23 WHEREAS, the Parties have completed confirmatory discovery, and have exchanged
24 drafts of all documentary submissions to be submitted to the Court for consideration of the
25 proposed settlement;

26 WHEREAS, given the nature of this litigation and proposed settlement, involving a class
27 action regarding the settlement of claims arising from a previous class action, the proposed
28 settlement drafts and accompanying settlement materials are complicated documents not readily

1 duplicated by use of boilerplate class action settlement language and require careful drafting of
2 appropriate language for the Court's consideration. Due to this complexity, the Parties require a
3 brief amount of additional time to finalize those submissions;

4 WHEREAS, the Parties anticipate that they will be able to resolve all outstanding details
5 and finalize the proposed settlement and submissions by January 19, 2012;

6 NOW, THEREFORE, the Parties jointly request and hereby stipulate that the Parties shall
7 submit a settlement agreement, combined with a stipulation to conditionally certify a class for
8 settlement purposes, for the Court's approval under Federal Rule of Civil Procedure 23(e), no
9 later than January 19, 2012.

10 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD:**

11 DATED: January 12, 2012

12 KABATECK BROWN KELLNER LLP

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14
15 By: /s/ Karen Liao
16 Richard L. Kellner
Karen Liao
Attorneys for Plaintiffs

17 DATED: January 12, 2012

18 BINGHAM MCCUTCHEN LLP

19
20
21 By: /s/ Michael D. Blanchard
22 Michael D. Blanchard
23 Donald S. Davidson
Sarah L. Bishop
Attorneys for Defendants

ATTESTATION

I hereby attest, under penalty of perjury under the laws of the United States of America,
that opposing counsel Karen Liao of Kabateck Brown Kellner LLP has concurred in the filing of
this document.

DATED: January 12, 2012

BINGHAM MCCUTCHEN LLP

By: /s/ Sarah L. Bishop
Michael D. Blanchard
Donald S. Davidson
Sarah L. Bishop
Attorneys for Defendants

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Pursuant to the stipulation of the Parties and good cause appearing, the deadline for the Parties to submit a class action settlement stipulation and motion for preliminary approval of settlement shall be January 19, 2012.

DATED: January 17, 2012

By: 
Hon. Samuel Conti
United States District Judge